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TUTOR-SALIBA/KOCH/TIDEWATER JV

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In the Matter of the Complaint of)	Case No.: C 05-04044 WHA
)	
TUTOR-SALIBA/KOCH/TIDEWATER JV,)	PROPOSED ORDER NOTING
)	DEFAULTS
Plaintiff,)	
)	
For Exoneration from or Limitation of)	
Liability.)	
_____)	

WHEREAS, a monition having been duly issued herein on or about October 14, 2005, against all persons, concerns, or firms claiming damages for any and all losses or damages of any nature whatsoever occasioned by or resulting from or in any way consequent upon the subject incident occurring on the deck cargo barge and appurtenances designated as "EM 1010", (the "Barge") involving the alleged injuries suffered by Thadd Brusseu while working on the Barge on or about August 13, 2004, or by reason of any other matters arising out of events surrounding the subject incident of the Barge, admonishing them and each of them to appear and file their respective claims and answers, if any, with the Clerk of this Court and to serve on the attorneys for Plaintiffs a copy thereof on or before December 1, 2005; and

WHEREAS, notice of the said monition and commencement of this action having been duly published and provided to all persons known to have made any claim against the

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IMU Brusseu

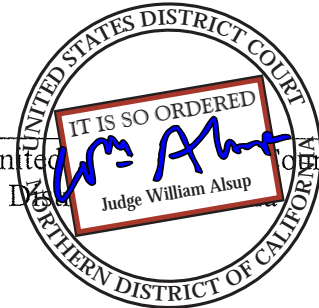
vessel or the Plaintiff arising out of the subject incident hereinabove described, as more clearly appears from the affidavit of counsel and the return of the Marshal on file herein, and the time for filing claims and answers having expired, it is on application of Plaintiff, hereby

ORDERED that the default of all persons, concerns or firms claiming damages for any and all losses or damages of any nature whatsoever occasioned by or resulting from or in any way consequent upon the aforesaid subject incident occurring on the Barge, or by reason of any other matters arising out of events occurring during the subject incident, who have not heretofore filed their claims and answers herein, be taken, and the same hereby is noted; and it is further,

ORDERED that all persons, concerns or firms in default as aforesaid be and the same hereby are barred and precluded from filing any claims and answers in this action.

SO ORDERED this 15 day of December, 2005, at San Francisco, California.

Judge, United
Northern District



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